

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|   |   |
|---|---|
| -----X                                    |   |
| CHRISTOPHER E. BROWN,                     | : |
| an individual,                            | : |
|   | : |
| Plaintiff,                                | : |
|   | : |
| - against -                               | : |
|   | : |
| THE GREAT ATLANTIC & PACIFIC TEA COMPANY, | : |
| INC., d/b/a THE FOOD EMPORIUM,            | : |
| a Maryland Corporation,                   | : |
| Defendant.                                | : |
|   | : |
| -----X                                    |   |

CASE NO: 08-cv-5603

**Rule 7.1 Statement**

Defendant The Great Atlantic & Pacific Tea Company, Inc., d/b/a The Food Emporium,  
as and for its Statement pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, states that:

1. Defendant, The Great Atlantic & Pacific Tea Company, Inc., is publicly traded.
2. No publicly held corporation owns 10% or more of The Great Atlantic & Pacific Tea Company, Inc.'s stock. Tengelmann Warenhandelsgesellschaft KG ("Tengelmann Group"), a privately held German company, is the parent corporation, owns approximately 38%, and is the majority shareholder of The Great Atlantic & Pacific Tea Company, Inc.'s stock.

Dated: August 22, 2008  
New York, New York

PRYOR CASHMAN LLP

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